



Unit Information Form (UIF)
UIF0910

The UIF provides essential information to students, staff teams and others on a particular unit. Please refer to the University's Guidance notes on Unit Information Forms before completing the details below

Section 1 - Changes made to Section 1 of the UIF will normally require University level approval

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| Unit Name | Advanced Criminal Law |
| Unit Code | LAW006-2 |
| Level | 2 |
| Credit Value | 15 |
| Location of Delivery | Luton and Bedford |
| Summary/Overview | <p>This unit offers a specialist approach to the study of selected criminal law topics by a student who has taken 'Criminal Law', and who wishes to obtain a profound and deeper or detailed understanding of selected areas of the Criminal Law. It is not a compulsory unit for those students who wish to gain exemption from the Law Society and Bar professional examinations, but is strongly recommended for those whose careers may include involvement with the criminal courts. It may also be taken by a student who has not studied 'Criminal Law' but who wishes to gain insight into the methodology of the criminal law through the study of selected areas.</p> <p>The areas selected for study will rotate periodically depending on the topical issues raised in criminal law at the time of teaching but at all times the unit will offer for students' consideration topical issues affecting the administration of English Criminal Law and justice. Thus the unit is designed for the in depth study of a select range of serious or topical criminal offences, concentrating on areas where the Law is ripe for reform.</p> <p>The tutor will select individual areas of study on an annual basis. The student will be encouraged to recognise gaps, contradictions and anomalies in the operation of the Criminal Law, and to appreciate the scope and nature of likely law reforms.</p> <p>As an indication the following aspects of current criminal law may be the subject of further and deeper study in this unit, inc:</p> <ul style="list-style-type: none">• Whether mercy killings should be prosecuted and if so on what basis?• To what extent should mental illness be a justifiable defence in homicide? |

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| | <ul style="list-style-type: none"> • Understand the scope of corporate manslaughter? • Reform of the law relating to prosecution for sexually transmitted diseases. • Understand the scope of consent in English law. • Political bias in prosecuting serious fraud, rape and domestic violence in England and Wales. • The concept of reasonableness in self-defence. • The scope and ambit of the defences of mistake and consent in criminal law. • The prosecution of international crime. • Rape and Gender bias in criminal law. |
| Aims | <ul style="list-style-type: none"> • To enable the student to gain a critical perspective of several of the more important offences in English criminal law, i.e. euthanasia/mercy killing and to enable the student to confidentially handle, analyse, synthesise and apply the operation of current legal principles in these selected areas with appropriate reforms. • To develop strategies for the student to use in applying the knowledge gained and any contradictions or complexities to practical problem scenarios. • To encourage and enhance in the student a critical ability of evaluating various contradictions and issues identified in the selected areas of the criminal law and demonstrate law reforms as necessary. • To demonstrate the use of technical language associated in criminal litigation in order that the student may use it in an appropriate way. • To enable the student to understand and critically evaluate the impact of criminal law to contemporary social issues embedded in criminal law, e.g. domestic violence, mercy killing, rape and gender bias etc. • To further develop and utilise the handling of primary and secondary material especially law reform where necessary. |

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| Core Learning Outcomes | | |
| | <u>Learning Outcomes</u> On completion of this unit you should be able to: | <u>Assessment Criteria</u> To achieve the learning outcome you must demonstrate the ability to: |
| 1 | <ul style="list-style-type: none"> Identify and accurately explain the various principles and concepts underpinning the application and administration of criminal law. | <ul style="list-style-type: none"> State and accurately explain the correct principles from statutes and case law in an examination and the coursework question. |
| 2 | <ul style="list-style-type: none"> Design appropriate models to apply the principles, complexities and gaps in the study of specified areas of criminal law to practical problem scenarios whilst recognising any limitations of the law. | <ul style="list-style-type: none"> Produce a well reasoned statement using existing knowledge in the assignment and examination which focuses on the question set. |
| 3 | <ul style="list-style-type: none"> Evaluate the various principles and concepts, complexities or gaps in selected areas identified for study in Criminal Law whilst recognising competing perspectives. | <ul style="list-style-type: none"> Rank the relevance and importance of standard arguments based on established orthodoxies using primary and secondary sources Bring together relevant materials from cases and statutes. Explain and academic criticism and the outcome of relevant Law Commission reports etc in the context of the question posed. |
| 4 | <ul style="list-style-type: none"> Analyse and synthesise information from primary, secondary and in particular law reform sources, acting with increasing autonomy but still within defined guidelines. | <ul style="list-style-type: none"> Assess the importance of law reform, legislative provisions and case law to problem scenarios. Apply the legislative provisions correctly and advise accordingly. |
| 5 | <ul style="list-style-type: none"> Write fluent and complex prose using legal terminology correctly, using feedback to adapt material to reach the desired aim. | <ul style="list-style-type: none"> Write the coursework and examination answers with clarity of argument and expression using the correct legal terminology. |
| 6 | <ul style="list-style-type: none"> Evaluate the role of parliamentary and judicial policy in the development of criminal law in general but more specifically in selected areas for further scrutiny and study in this unit. | <ul style="list-style-type: none"> Explain and correlate the role of parliament and judicial policy in the development of criminal law in the context of the coursework and examination with reference to academic journals and papers. |

Section 2 - Any changes made to Section 2 of the UIF will normally require Faculty level approval

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| Period of delivery | Year long. | |
| Pre-requisites/Restrictions | Criminal Law | |
| Student Activity (10 notional learning hours = 1 credit) | Activity | Notional Learning Hours |
| | Lectures | 30 |
| | Seminars/tutorials | 14 |
| | Assessment | 2 |
| | Self-directed study | 104 |
| | Total | 150 |
| Description of Student Activity | <p>The lectures will consist of electing and then expanding on select areas of criminal law for study in this unit. The lectures will identify and mark out the issues, complexities and gaps in these select areas of criminal law for the students' consideration. The student will then be expected to explore these doctrines and contradictions further using reading and research.</p> <p>In seminars the student will be given an opportunity to explore in depth and re-visit the controversial areas of criminal law chosen for scrutiny and to participate in the discussion of the contradictions and gaps in those areas of criminal law. The student will be encouraged throughout the study of this unit to develop a critical awareness of the various weaknesses and gaps in the application of the criminal law.</p> <p>The student studying this unit will be expected and as far as possible encouraged to spend time reading widely and independently to elaborate and enhance their understanding of the issues raised in formal classes.</p> <p>The student will be issued with a unit handbook at the beginning of the teaching containing the syllabus and the tutorial questions for preparation. The student will also be assisted by directed reading and additional research materials placed on BREO.</p> | |
| Approach to Learning | <p>Meaningful – There are aspects of criminal law which sit uneasily with citizens such as prosecution for domestic violence, sexual and drug related crimes etc. In this respect the student undertaking this unit will become increasingly aware of the importance of a fair and just criminal justice system and prosecution of offences and in particular the negative impact that unjust criminal laws have on any society. At the end of their study the student should become critically aware of the inconsistency in the application of criminal liability and the politics of criminal justice in England and Wales.</p> <p>Active – The student will be actively engaged in studying criminal offences and materials both in class and their own study time. In this respect the student will be expected to engage in researching from both primary and secondary sources. A substantial amount of reading time is essential for this unit. The knowledge gained by the student will be actively applied in both informal discussions in seminars and in formal assessments such as the coursework and examination.</p> | |

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| | <p>Reflective – From the meaningful and topical nature of this subject the student will reflect on how the selected areas used for further study and critical analysis in this unit relates to other legal areas such as the general criminal justice system and our civil rights. The unit will attempt to introduce for further exploration and for the student's contemplation and thought various principles and policies behind some of the contentious areas of criminal law such as prosecution of euthanasia/mercy killing, domestic violence etc. Students will be encouraged to reflect on their knowledge, understanding and performance of the issues arising in select areas of the criminal law through tutorial discussions and the tutor's feedback upon formal assessments.</p> <p>Challenging – The whole area of criminal law presents many new challenges to the student old and new to English law. The student will learn about the politics of prosecutions in England and Wales. The ever changing nature of criminal law will pose questions for the students reflection and consideration and the challenges that these present to English criminal courts. For example whether the current legal definition of murder is suitable for prosecuting those who are not wicked or evil but kill out of affection/mercy?</p> |
| <p>Skills Development</p> | <p><u>Communication</u> To help with the development of this the student will present in written form a course work which shows specific in depth knowledge and understanding of certain aspects of criminal law. This will be furthered by the student participating in tutorial discussions during the teaching of this unit and undertaking a written course work and an examination.</p> <p><u>Information Literacy</u> To help with the development of this the student will locate WWW sites on his or her own initiative, retrieve information from them and use it appropriately in course works, classes and in the examination.</p> <p><u>Research and Evaluation</u> To help with the development of this the student will collect information from primary and where appropriate secondary sources (e.g. law reports and relevant legislation) and apply it to problem situations presented in tutorials for student consideration and thought.</p> <p><u>Creativity and Critical Thinking</u> To help with the development of this the student will apply the principles, contradictions, gaps and any complexities learnt in this unit and apply those to problem scenarios. The student will critically reflect on whether the existing principles of criminal law are appropriate for many new and emerging areas of criminal offences such as computer crimes and mercy killings.</p> |

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| Assessment Strategy | There are TWO Assessments for this unit. | | | | | | | | | |
| | Assessment 1- Coursework-50 % weight | | | | | | | | | |
| | Assessment 2- Written 2 hour Examination- 50% weight | | | | | | | | | |
| | <p>Assessment one (1) is a written course work of 2-000 words where the student must produce a critique of a legal issue set by the tutor from within the unit subject matter. This assessment is worth 50% of the marks for the unit. The assessment question will be contained in the unit handbook, distributed to the student at the beginning of the teaching along with marking criteria and course work guidance.</p> <p>Assessment two (2) is a written 2 hour unseen examination at the end of the teaching. The examination is worth 50% of the marks for the unit.</p> <p>Feedback to both assessments will be provided by the tutor at the conclusion of each assessment.</p> | | | | | | | | | |

| No | Assessment Method | Description of Assessment Method | % | Learning Outcomes Assessed | | | | | | Submission week (assignments) or length (exam) |
|----|-------------------|------------------------------------|-----------|----------------------------|---|---|---|---|---|--|
| | | | | 1 | 2 | 3 | 4 | 5 | 6 | |
| 1 | CS | Coursework. | 50 | x | x | x | x | x | x | W/c 14th Nov |
| 2 | EX | End of semester Examination | 50 | x | x | x | x | x | x | 2 Hour |
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***The following codes for assessment methods apply:-**

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| AR | artefact | PC | practical |
| CB | computer-based | PF | performance |
| CS | case study | PL | placement |
| DI | dissertation or project | PO | portfolio |
| EX | exam | PR | presentation |
| GR | group report | RE | individual report |
| IT | in-unit test | OR | oral |
| LR | literature review | OT | other |

Section 3 - Once initial approval of the unit has been given, the Unit Co-ordinator may make changes to this section, following appropriate consultation

Outline Teaching Schedule

This is only an indicative outline. A full teaching syllabus and schedule will be published in the Handbook at the beginning of the teaching. The syllabus will comprise of topics which are considered to be topical at the time of the course by the tutor and may vary from one academic year to another. As indicative the syllabus comprises of:

- **Week 1-3**
Topic - Introduction to aims of the module and Introductory Matters;
- **Week 4-8**
Topic - Re- familiarisation with criminal law and the important concepts of criminal liability e.g. Elements of the Offence; Structure of Criminal Courts; Classification of criminal offences in England and Wales.
- **Week 9-14**
Topic - Fatal Offences- Homicide in English Law and the Basis for liability for Murder and Manslaughter, The Murder/Manslaughter distinction.
- **Week 15-20**
Topic - Non-Fatal Offences against the person (1) Assaults and (2) Sexual Offences-Rape on trial.
- **Week 21-23**
Topic - Global perspectives, issues and the states response in criminal law.
- **Week 24**
Topic - Revision Week
- **Week 25**
Topic - Examination Week.

Recommended Resources

Essential Textbooks- Due to the fluid nature of this subject area the recommended textbooks may be varied from the list below as appropriate. The recommended texts will rotate depending on the nature of the criminal topics being analysed in any given academic year but students are expected to consult at least one criminal law textbook citing the current criminal law as a base and then expand their reading to specialist publications (listed below). An indication of some of the suitable titles include:

Smith & Hogan: *Criminal Law* by JC Smith, Oxford UP, 10th ed, 2002, ISBN 0406948011

Smith and Hogan: *Cases and Materials* by JC Smith, Oxford UP, 9th ed, 2002, ISBN 0406081883

Jefferson: *Criminal Law*, Pearson Longman, 9th ed, 2009, ISBN 9781405899048

Wilson: *Criminal Law Doctrine and Theory*, Pearson Longman, 3rd ed, 2008, ISBN 9781405858397

Martin & Storey: *Unlocking Criminal Law*, Oxford UP, 2nd ed, 2007, ISBN 9780340941997

Downes & Rock: *Understanding Deviance*, Oxford UP, 5th ed, 2007, ISBN 9780199278282

R Reiner: *The Politics of the Police*, Oxford UP, 3rd ed, 2001, ISBN 9780745009599

Davies, Croall & Tyrer: *Criminal justice*, Longman Press, 3rd ed, 2005, ISBN 0780582473201

D McClean: *Transnational Organised Crime*, Oxford UP, 2007, ISBN 9780199217724

Bantekas & Nash: *International Criminal Law*, Routledge, 3rd ed, 2007, ISBN 9780415418454

Munro & Stychin: *Sexuality and the Law*, Routledge, 2007, ISBN 9781904385677

Weait: *Intimacy and Responsibility*, Routledge, 2007, ISBN 9781904385707

Hunter & Cowan: *Choice and Consent*, Routledge, 2008, ISBN 9781904385851

Burton: *Legal Response to Domestic Violence*, Routledge, 2008, ISBN 9780415454230

R Fortson: *Guide to Serious Crime Act 2007*, Blackstone's, 2008, ISBN 9780199543045

The student is particularly encouraged to read broadly not only from published textbooks above but also from various other secondary sources such as the daily Times Law Report, criminal law journals as well as accessing Lawtel and other on line services.

Section 4 – Administrative Information

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| Faculty | Business School |
| Field | Law |
| Department/School/Division | Law |
| Version | 1.0 |
| Date of production of UIF (dd/mm/yyyy) | 16 February 2009 |
| Unit Co-ordinator | Tariq Khan |

| Named Courses – Indicate below all courses where this is a core or option Unit (*delete as appropriate) | |
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| LLB/LLB joint Degree | Option |
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